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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L.
Madoff Investment Securities LLC and Bernard L.
Madoff L. Madoff,

Plaintiff,

v.

TRUST CREATED UNDER AGREEMENT
DATED 1/9/90 BY LEONARD LITWIN FOR
THE BENEFIT OF DIANE MILLER,

TRUST CREATED UNDER AGREEMENT

Adv. Pro. No. 10-05174 (SMB)

11/13/89 BY LEONARD LITWIN FOR THE
BENEFIT OF HOWARD SWARZMAN,

TRUST CREATED UNDER AGREEMENT
11/13/89 BY LEONARD LITWIN FOR THE
BENEFIT OF STEVEN SWARZMAN,

THE STEVEN SWARZMAN 2006 TRUST,

LEONARD LITWIN FRIENDS AND FAMILY
TRUST,

LEONARD LITWIN,

CAROLE L. PITTELMAN,

RICHARD G. COHEN,

DIANE MILLER,

HOWARD L. SWARZMAN, and

STEVEN SWARZMAN,

Defendants.

**NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE
OF ADVERSARY PROCEEDING**

PLEASE TAKE NOTICE that Plaintiff Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff individually (“Madoff”), by and through his counsel Baker & Hostetler LLP, and pursuant to Rule 7041(a)(1)(A)(i) of the Federal Rules of Bankruptcy Procedure (making Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure applicable in adversary proceedings), hereby dismisses the above-captioned adversary proceeding with prejudice. Pursuant to Bankruptcy Rule 7041(a)(1)(A)(i), the Trustee is permitted to voluntarily dismiss this adversary proceeding without further order of the court by

filing this Notice of Dismissal as, as of the date hereof, no opposing party has served either an answer or a motion for summary judgment.

Dated: August 28, 2014
New York, New York

BAKER & HOSTETLER LLP

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LLC and the Estate of Bernard L. Madoff*